

# ATLANTA CITY COUNCIL

## ACTION/MINUTES

### JANUARY 19, 2010

The Atlanta City Council held its Regularly Scheduled Meeting on Tuesday, January 19, 2010, due to the Martin Luther King Jr., Holiday on Monday, January 18, 2010. The Meeting convened at 1:10 p.m. in the Council Chambers at City Hall. The roll was called and a quorum was declared.

**PRESIDER (S):** The Honorable Council President Ceasar C. Mitchell presided.  
**Attendance:**

The following (15) voting members were present at the Meeting:

<b>The Honorable Carla Smith *1:13</b>	<b>The Honorable Felicia A. Moore</b>
<b>The Honorable Kwanza Hall</b>	<b>The Honorable C. T. Martin</b>
<b>The Honorable Ivory L. Young, Jr.</b>	<b>The Honorable Keisha Lance Bottoms</b>
<b>The Honorable Cleta Winslow *2:06</b>	<b>The Honorable Joyce Sheperd *1:13</b>
<b>The Honorable Natalyn Archibong *1:44</b>	<b>The Honorable Michael J. Bond *1:14</b>
<b>The Honorable Alex Wan</b>	<b>The Honorable Aaron Watson *1:17</b>
<b>The Honorable Howard Shook</b>	<b>The Honorable H. Lamar Willis</b>
<b>The Honorable Yolanda Adrean</b>	

**\*Arrival Time:** - indicates arrival after convening roll call.

**INVOCATION:** Pastor Olu Brown of the Impact Church gave the invocation.

**PLEDGE OF ALLEGIANCE:** In unison, lead by Councilmember C. T. Martin, the Council recited the Pledge of Allegiance to the flag of the United States of America.

**REPORT OF THE JOURNAL:** Rhonda Dauphin Johnson, Municipal Clerk, certified to the Council and the Committee on Council that the **Action/Minutes** of the **January 04, 2010** Regular Meeting are true and correct. The Minutes were **FILED** without objection.

**ADOPTION OF AGENDA:** Council President Ceasar C. Mitchell entertained a **Motion for the Adoption of the Agenda**. The Motion was moved, properly Seconded, and CARRIED by a roll call vote of 13 yeas; 0 nays.

# **COMMUNICATIONS**

Council President Ceasar C. Mitchell Presided

**COMMUNICATIONS**

- 10-C-0148 ( 1) A Communication from **City Auditor Leslie Ward** submitting the Performance Audit for City Hall East Sale and Public Safety Facilities Construction Report.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION**
- 10-C-0149 ( 2) A Communication from **Elizabeth B. Coyle, Chair, BeltLine Network, to Council President Ceasar C. Mitchell and Members of Council** submitting their appointment of Dr. Kelly Hill to serve as their representative on the BeltLine Tax Allocation District (TAD) Advisory Committee. This appointment is for a term of two (2) years, retroactive to January 01, 2010.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION**
- 10-C-0150 ( 3) A Communication by **Council President Ceasar C. Mitchell** appointing Councilmember Alex Wan to serve as a member of the Piedmont Park Conservancy Board. This appointment is for a term of one (1) year and does not require Council confirmation.  
**FILED WITHOUT OBJECTION**
- 10-C-0151 ( 4) A Communication from **Andy Schneggenburger, Executive Director, Atlanta Housing Association of Neighborhood-Based Developers (AHAND), to Municipal Clerk Rhonda Dauphin Johnson** appointing Mr. Pete Hayley to serve as their representative on the BeltLine Tax Allocation District (TAD) Affordable Housing Advisory Board. This appointment is for a term of two (2) years, retroactive to May 01, 2009 and expires April 30, 2011.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION**
- 10-C-0152 ( 5) A Communication from **Andy Schneggenburger, Executive Director, Atlanta Housing Association of Neighborhood-Based Developers (AHAND) to Municipal Clerk Rhonda Dauphin Johnson**, jointly with the Atlanta Neighborhood Development Partnership (ANDP), appointing Ms. Kate S. Little to serve as their representative on the BeltLine Tax Allocation District (TAD) Affordable Housing Advisory Board. This appointment is for a term of two (2) years, retroactive to May 01, 2009 and expires April 30, 2011.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION**

Council President Cesar C. Mitchell Presided

**COMMUNICATIONS (CONT'D)**

- 10-C-0208 ( 6) A Communication from **John O' Callaghan, President and CEO, Atlanta Neighborhood Development Partnership, Inc. (ANDP) to Municipal Clerk Rhonda Dauphin Johnson**, jointly with the Atlanta Housing Association of Neighborhood-based Developers (AHAND), appointing Mr. Derrick Duckworth to serve as their representative on the BeltLine Tax Allocation District (TAD) Affordable Housing Advisory Board. This appointment is for a term of two (2) years, retroactive to May 01, 2009 and expires April 30, 2011.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION**
- 10-C-0209 ( 7) A Communication by **Councilmembers Natalyn M. Archibong, District 5; Alex Wan, District 6; Howard Shook, District 7; Yolanda Adrean, District 8 and Aaron Watson, Post 2 At-Large** re-appointing Mr. Andy Schneggenburger to serve as their representative on the BeltLine Tax Allocation District (TAD) Affordable Housing Advisory Board. This appointment is for a term of two (2) years, retroactive to May 01, 2009 and expires April 30, 2011.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION**
- 10-C-0210 ( 8) A Communication by **Mayor Kasim Reed to President Cesar C. Mitchell and the Atlanta City Council** appointing Ms. Sherri Thompson Dickerson as Commissioner of the Department of Human Resources for the City of Atlanta.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION**
- 10-C-0211 ( 9) A Communication by **Mayor Kasim Reed to President Cesar C. Mitchell and the Atlanta City Council** appointing Councilmember Aaron Watson as a member of the General Employees' Pension Board of Trustees for the City of Atlanta.  
**FILED WITHOUT OBJECTION**
- 10-C-0212 (10) A Communication by **Mayor Kasim Reed to President Cesar C. Mitchell and the Atlanta City Council** re-appointing Councilmember Cleta Winslow as a member of the Police Officers' Pension Board of Trustees for the City of Atlanta.  
**FILED WITHOUT OBJECTION**
- 10-C-0213 (11) A Communication by **Mayor Kasim Reed to President Cesar C. Mitchell and the Atlanta City Council** appointing Councilmember Keisha Lance Bottoms as a member of the Firefighters' Pension Board of Trustees for the City of Atlanta.  
**FILED WITHOUT OBJECTION**

Council President Ceasar C. Mitchell Presided

**COMMUNICATIONS (CONT'D)**

- 10-C-0214 (12) A Communication by **Mayor Kasim Reed to President Ceasar C. Mitchell and the Atlanta City Council** appointing Ms. Sherri Thompson Dickerson as designee to the General Employees' Pension Board of Trustees for the City of Atlanta.  
**FILED WITHOUT OBJECTION**
- 10-C-0215 (13) A Communication by **Mayor Kasim Reed to President Ceasar C. Mitchell and the Atlanta City Council** appointing Ms. Sherri Thompson Dickerson as designee to the Firefighters' Pension Board of Trustees for the City of Atlanta.  
**FILED WITHOUT OBJECTION**
- 10-C-0216 (14) A Communication by **Mayor Kasim Reed to President Ceasar C. Mitchell and the Atlanta City Council** appointing Ms. Sherri Thompson Dickerson as designee to the Police Officers' Pension Board of Trustees for the City of Atlanta.  
**FILED WITHOUT OBJECTION**
- 10-C-0217 (15) A Communication by **City Auditor Leslie Ward** submitting a Performance Audit Report regarding the Patrol of Officer Availability during the Furlough Period.  
**FILED WITHOUT OBJECTION**

## **VETOED LEGISLATION**

**Council President Ceasar C. Mitchell Presided**

**VETOED LEGISLATION**

**NONE**

## **UNFINISHED BUSINESS**



**Council President Ceasar C. Mitchell Presided**

**UNFINISHED BUSINESS**

**NONE**

# **CONSENT AGENDA SECTION I**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA**

There was no separate discussion of the following items with the exception of item 10-R-0145 which was removed from the Consent Agenda, and considered separately per Rules for the Conduct of Business of the Council of the City of Atlanta (As Amended), Rule XI; Order of Business, SECTION 11.2; Consent Agenda.

The following CONSENT AGENDA SECTION I received a Favorable Recommendation and was Adopted in accordance with Section 11.2 by the following roll call vote: **14 Yeas:** Councilmembers Smith, Hall, Young, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis: **0 Nays.**

**SECTION I**

**FINANCE/ EXECUTIVE COMMITTEE**  
**YOLANDA ADREAN, CHAIR**

- 10-O-0130 (1) An Ordinance by **Councilmember Carla Smith** authorizing the Mayor, on behalf of the City of Atlanta (The "City"), to execute and deliver certain Quitclaim Deeds relating to certain real property acquired during the era of the Centennial Olympic Games to the Atlanta Fulton County Recreation Authority (The "Authority"); and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

**RESOLUTIONS**

**COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE**  
**JOYCE SHEPERD, CHAIR**

- 10-R-0060 (1) An **Amended** Resolution by **Community Development/ Human Resources Committee** authorizing the Mayor on behalf of the City of Atlanta to enter into a Joint Operating Agreement with the Atlanta Independent School System ("AISS") setting forth the terms of AISS and the City's utilization of the Martin Luther King, Jr. Recreation Center; and for other purposes.  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 10-R-0061 (2) An **Amended** Resolution by **Community Development/ Human Resources Committee** authorizing the Mayor on behalf of the City of Atlanta to enter into a Joint Operating Agreement with the Atlanta Independent School System ("AISS") setting forth the terms of AISS and the City's utilization of the Morningside Recreation Center; and for other purposes.  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE (CONT'D)**  
**JOYCE SHEPERD, CHAIR**

10-R-0062 ( 3)      A Resolution by **Community Development/ Human Resources Committee** authorizing the Mayor on behalf of the City of Atlanta to amend the Community Garden Program Agreement with Park Pride Atlanta, Inc., to change the size limitations for Community Gardens located in city-owned beauty spots that are one half acre or smaller; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**

10-R-0063 ( 4)      A Resolution by **Community Development/ Human Resources Committee** authorizing the Mayor on behalf of the City of Atlanta to enter into an appropriate Contractual Agreement with American Facility Services, Inc., for FC-4991, Janitorial Services for the Boisfeuillet Jones Atlanta Civic Center in an amount not to exceed \$206,400.00 with all contracted work being charged to and paid from the General Ledger/ Account Segment Numbers identified in this Resolution; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**

10-R-0145 ( 5)      A Resolution by **Community Development/ Human Resources Committee** authorizing the Mayor to enter into a funding Agreement with the Atlanta Development Authority, Atlanta Neighborhood Development Partners (in collaboration with MaCallan Group and NorSouth Companies) and The Integral Development, LLC, in an amount not to exceed \$57,944,444.00 from the U.S. Department of Housing and Urban Development under the CDBG Neighborhood Stabilization Program 2 (NSP2); and for other purposes.

**The above item was removed from the Consent Agenda by request of Councilmember Sheperd.**

**SEE COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE REPORT**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**  
**IVORY L. YOUNG, JR., CHAIR**

- 10-R-0064 ( 6)      A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of Amy Falzone v. City of Atlanta, Magistrate Court Fulton County, Civil Action File No. 09MS097930, in the amount of \$7,000.00; authorizing said payment to be charged to and paid from Fund 5051 (Water & Wastewater Revenue Fund), 170201 (DWM Wastewater Treatment & Collections), 5750002 (Property/ Liquidation), 4310000 (Sanitary Administration); authorizing the rescission of 09-R-1856; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 10-R-0065 ( 7)      A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of Diane Bolton v. City of Atlanta, State Court Fulton County, Civil Action File No. 2007EV002680G, in the amount of \$20,000.00; authorizing said payment to be charged to and paid from Fund 1001 (General Fund)/ 200101 (NDP Unallocated Citywide Employee Expenses)/ 5212005 (Property/ Liquidation)/ 1512000 (Human Resources); authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 10-R-0066 ( 8)      A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of James Ellis and Beverly Ellis v. City of Atlanta, Georgia, Civil Action File No. 2008-CV-160200, Fulton County Superior Court, in the amount of \$91,000.00; authorizing said payment to be paid from Fund 5051 (Water & Sewer), Center Number 170201 (Departmental), 5750002 (Account) and 4310000 (Functional Activity); authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**

**IVORY L. YOUNG, JR., CHAIR**

- 10-R-0067 (9)      A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of Lucy Stephens, Robert Baker and Joan Baker v. City of Atlanta, Georgia, Civil Action File No. 2008-CV-156177, Fulton Superior Court, in the total amount of \$190,000.00; authorizing said payment to be paid from Fund 5051 (Water & Sewer), Center Number 170201 (Departmental), 5750002 (Account) and 4310000 (Functional Activity); authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 10-R-0068 (10)      A Resolution by **Public Safety and Legal Administration Committee** to authorize the Mayor to apply for and accept a grant in an amount not to exceed \$1,200,000.00 from the United States Department of Health and Human Services to implement an Offender Re-Entry Program in collaboration with the Municipal Court of Atlanta, Department of Corrections and the Mayor's Office of Weed and Seed, to reduce the recidivism rate among lower level offenders who have substance abuse problems that contribute to their criminal behavior; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 10-R-0146 (11)      A Resolution by **Public Safety and Legal Administration Committee** authorizing the acceptance of \$190,775.00 as full compromise settlement of the City of Atlanta's claim for losses suffered due to the embezzlement of City funds by former employee, Mr. Vandyke A. Walker, III; collected funds shall be deposited into Fund Account 5501 (Airport Revenue Fund), 000002 (Dept. of Aviation), 3890007 (Recoveries), 7563000 (Airport); and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**TRANSPORTATION COMMITTEE**

**C. T. MARTIN, CHAIR**

- 10-R-0125 (12) A Resolution by **Transportation Committee** authorizing the Mayor to execute an Agreement with Amy Landesberg Art & Design, Inc., to produce art work for the Maynard Holbrook Jackson, Jr. International Terminal in an amount not to exceed \$1,500,000.00; all contracted work will be charged to and paid from the Various PATEO and FDOA Numbers listed.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

**FINANCE/ EXECUTIVE COMMITTEE**

**YOLANDA ADREAN, CHAIR**

- 10-R-0143 (13) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to exercise Lease Renewal Option Number Two (2) with Dell Marketing, LP, for Computer Hardware and Maintenance for the Server Consolidation utilizing the NASPO/ WSCA Contract Number A63307 on behalf of the Department of Information Technology, in an amount not to exceed \$776,654.04; all contracted work will be charged to and paid from the FDOA Numbers listed; and for other purposes.  
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 10-R-0144 (14) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to exercise Lease Renewal Option Number Two (2) with Dell Marketing, LP, for the purchase of Server Consolidation Backup Storage Software Licenses and Support utilizing the NASPO/ WSCA Contract Number A63307 on behalf of the Department of Information Technology, in an amount not to exceed \$90,335.99; all contracted work will be charged to and paid from the FDOA Numbers listed; and for other purposes.  
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS/ CLAIMS**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**  
**IVORY L. YOUNG, JR., CHAIR**

**Claims with favorable recommendations:**

- 10-R-0069 ( 1 )      Claim of **Caprice Holt**, for property damages alleged to have been sustained from an automobile accident on September 25, 2009 at Northside Drive and McDaniel Street. **\$2,589.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 10-R-0070 ( 2 )      Claim of **Chenelle Barker, through her attorney, L. Chris Stewart**, for damages alleged to have been sustained as a result of an automobile accident on May 1, 2009 at 1801 Howell Mill Road, NW. **\$9,000.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 10-R-0071 ( 3 )      Claim of **USAA, as subrogee of David W. Tascarella**, for damages alleged to have been sustained as a result of an automobile accident on April 25, 2008 at 2715 Peachtree Road, NE and Andrews Drive, NE. **\$35,264.51**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 10-R-0072 ( 4 )      Claim of **Uptown Buckhead**, for damages alleged to have been sustained as a result of an automobile accident on November 20, 2009 at 3707 Roswell Road, NE. **\$4,207.07**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 10-R-0073 ( 5 )      Claim of **Brenda Ann Stewart**, for damages alleged to have been sustained as a result of an automobile accident on October 26, 2009 at S. Central Avenue and Atlanta Avenue. **\$1,015.24**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 10-R-0074 ( 6 )      Claim of **AT&T**, for damages alleged to have been sustained as a result of a severed phone line on September 14, 2009 at Lenox Road at Canter Road. **\$2,021.58**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**



Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS/ CLAIMS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**  
**IVORY L. YOUNG, JR., CHAIR**

**Claims with favorable recommendations: (Cont'd)**

- 10-R-0075 (7) Claim of **Encompass Insurance, as subrogee of Lee A. Dudley**, for damages alleged to have been sustained as a result of an automobile accident on July 2, 2009 at Argonne Drive, NW and Arden Road, NW. **\$4,340.83**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 10-R-0076 (8) Claim of **Janet C. Shortt**, for property damages alleged to have been sustained when a driveway was broken during back-yard garbage pickup service from 2007-May 27, 2009 at 3400 Spreading Oak Drive, SW. **\$1,225.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 10-R-0077 (9) Claim of **Leonard Rubin**, for vehicle damages alleged to have been sustained as a result of a recessed catch basin on September 18, 2009 at 90 West Wieuca Road. **\$512.65**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 10-R-0078 (10) Claim of **Sandra S. Myers**, for damages alleged to have been sustained as a result of a sewer backup between September 2-11, 2009 at 281 E. Wesley Road. **\$1,531.50**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 10-R-0079 (11) Claim of **Andre Beasley, through his attorney, Ahkibah Khan**, for damages alleged to have been sustained as a result of a vehicular accident on July 20, 2009 at 1127 Cascade Avenue. **\$4,800.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 10-R-0080 (12) Claim of **Phillip Floyd**, for damages alleged to have been sustained as a result of driving over a pothole on May 5, 2009 at 626 DeKalb Avenue. **\$692.17**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS/ CLAIMS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**  
**IVORY L. YOUNG, JR., CHAIR**

**Claims with favorable recommendations: (Cont'd)**

- 10-R-0081 (13) Claim of **Robert Jackson**, through his attorney, **Adam Jaffe**, for damages alleged to have been sustained as a result of walking on an uncovered water meter box on May 27, 2009 at 276 Memorial Drive. **\$5,500.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 10-R-0082 (14) Claim of **Tameko High**, through her attorney, **Ahkitab Khan**, for damages alleged to have been sustained as a result of a vehicular accident on July 20, 2009 at 1127 Cascade Avenue. **\$4,900.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 10-R-0083 (15) Claim of **Mark Dowdy**, through his attorney, **George W. Brinson**, for damages alleged to have been sustained as a result of a trip and fall on an unsecured water meter lid April 20, 2009 on Oakview Road. **\$3,500.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 10-R-0084 (16) Claim of **Evelyn Irving**, for damages alleged to have been sustained as a result of driving over a pothole on April 26, 2009 at 2800 Fairburn Road. **\$543.44**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 10-R-0085 (17) Claim of **Citywide Wrecker**, for vehicular damages alleged to have been sustained after driving over an uncovered manhole on August 26, 2009 at McDonough Boulevard and Gault Street. **\$1,157.08**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 10-R-0086 (18) Claim of **Sarah D. Sidwell**, for damages alleged to have been sustained as a result of striking a pothole on May 28, 2009 at 3369 Lenox Road. **\$274.92**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS/ CLAIMS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**  
**IVORY L. YOUNG, JR., CHAIR**

**Claims with favorable recommendations: (Cont'd)**

- 10-R-0087 (19) Claim of **Sara Dubose**, for damages alleged to have been sustained as a result of striking a pothole on October 5, 2009 at 3369 Lenox Road. **\$121.90**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 10-R-0088 (20) Claim of **State Farm Insurance Companies**, as subrogee of **Stephen Ayoub**, for damages alleged to have been sustained as a result of a automobile accident on May 16, 2009 at 6000 North Terminal Parkway. **\$5,217.10**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 10-R-0090 (21) Claim of **Encompass Insurance**, as subrogee of **Ruby M. Walker**, for damages alleged to have been sustained as a result of an automobile accident on March 24, 2009 at Mableton Parkway and Discovery Parkway. **\$2,467.54**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 10-R-0091 (22) Claim of **State Farm Insurance Companies**, as subrogee of **Phillip Floyd**, for damages alleged to have been sustained as a result of driving over a pothole on May 5, 2009 at 626 DeKalb Avenue. **\$926.37**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**
- 10-R-0092 (23) Claim of **State Farm Insurance Companies**, as subrogee of **Jamel Hill**, for damages alleged to have been sustained as a result of a vehicular accident on March 24, 2009 at 3201 Martin Luther King, Jr. Drive. **\$1,324.06**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**

**Council President Ceasar C. Mitchell Presided**

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS/ CLAIMS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**

**IVORY L. YOUNG, JR., CHAIR**

**Claims with unfavorable recommendations:**

- 10-R-0094 (24)      Claim of **Clara Funderburg, through her attorney, Thelma Wyatt Cummings Moore**, for property damages alleged to have been sustained due to a sanitary sewer rehabilitation project from 2007 to present at 2990 Stone Hogan Road.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 10-R-0095 (25)      Claim of **Kenneth Tyson, through his attorney, David R. Moore, Esq.**, for bodily injuries alleged to have been sustained from an automobile accident on August 8, 2009 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 10-R-0096 (26)      Claim of **Erika Aaron**, for damages alleged to have been sustained as a result of flooding during a heavy rain event on September 21, 2009 at 198 Atlanta Avenue, SE.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 10-R-0097 (27)      Claim of **Dorothy Baker**, for property damages alleged to have been sustained from storm water overflow on June 21, 2005 at 735 Ellsworth Drive, NW.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 10-R-0098 (28)      Claim of **Michael Walker, on behalf of his deceased spouse, Elaine Walker, through his attorney, Noah S. Rosner, Esq., Rosner Law Group**, for damages alleged to have been sustained from a wrongful death incident on May 10, 2008 at 1500 Aviation Boulevard.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 10-R-0099 (29)      Claim of **Jessica N. Pressley-Willis**, for vehicular damages alleged to have been sustained from driving over a pothole on July 25, 2009 at Camp Creek Parkway and Bakers Ferry Road.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

**Council President Cesar C. Mitchell Presided**

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS/ CLAIMS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**  
**IVORY L. YOUNG, JR., CHAIR**

**Claims with unfavorable recommendations: (Cont'd)**

- 10-R-0100 (30) Claim of **Dorcas Grey**, through her attorney, **Steven R. Thornton, Esq., Thornton Law Firm, P.C.**, for bodily injuries alleged to have been sustained from a slip and fall incident on May 26, 2009 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 10-R-0101 (31) Claim of **Terry Brown**, for damages alleged to have been sustained as a result of driving over a pothole on September 30, 2009 at Roswell Road near Alberta Street.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 10-R-0102 (32) Claim of **Cheryl Miller**, for vehicular damages alleged to have been sustained from driving over a pothole on April 2, 2009 on Peachtree Road, NE south of Pharr Road, NE.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 10-R-0103 (33) Claim of **Patricia Ann Gresham**, for damages alleged to have been sustained during a sewer rehabilitation project on May 17, 2009 at 1739 Leslie Avenue, SW.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 10-R-0104 (34) Claim of **Timothy K. Brayboy**, for damages alleged to have been sustained as a result of an automobile accident in a parking lot on May 21, 2009 at 651 14<sup>th</sup> Street, NW.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 10-R-0105 (35) Claim of **Margaret Lane**, for damages alleged to have been sustained as a result of driving over a pothole on September 29, 2009 at 3434 Roswell Road.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

**Council President Ceasar C. Mitchell Presided**

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS/ CLAIMS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**  
**IVORY L. YOUNG, JR., CHAIR**

**Claims with unfavorable recommendations: (Cont'd)**

- 10-R-0106 (36) Claim of **Mildred Denmark**, for damages allegedly sustained as a result of driving over an unsecured metal plate in April 2009 at 1317 Fairbanks Street.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 10-R-0107 (37) Claim of **Wilford and Earnestine Reed, through their attorney, Terry D. Jackson, Esq.**, for damages alleged to have been sustained due to a residential fire on January 24, 2009 at 342 Atlanta Avenue.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 10-R-0108 (38) Claim of **Ruth Green, through her attorney, Sam Starks**, for damages alleged to have been sustained as a result of a sewer backup on October 29, 2008 at 318 Kelso Drive.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 10-R-0109 (39) Claim of **Sidnye Fells, through her attorney, N. Giovanni Bonner**, for damages alleged to have been sustained as a result of a resignation on December 9, 2008 at Dobbs Elementary School, 1965 Lewis Road.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 10-R-0110 (40) Claim of **Thadious Strozier, through his attorney, Jonathan E. Sureck, Attorney at Law**, for bodily injuries alleged to have been sustained from an automobile accident involving an Atlanta Public Schools employee on March 5, & 25, 2009 at Forrest Park Road and Joseph E. Boone Boulevard.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 10-R-0111 (41) Claim of **Portia Dixon, through her attorney, Nailah Grant**, for damages alleged to have been sustained as a result of a broken banner bracket on January 7, 2009 at North Avenue and West Peachtree Street.  
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS/ CLAIMS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**  
**IVORY L. YOUNG, JR., CHAIR**

**Claims with unfavorable recommendations: (Cont'd)**

- 10-R-0112 (42) Claim of **AT&T**, for damages alleged to have been sustained as a result of replacing a fire hydrant on April 3, 2009 at 3387 Donald L. Hollowell Parkway.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 10-R-0113 (43) Claim of **The Estate of Everett Johnson, through its attorney, J. Philip Milam**, for damages alleged to have been sustained as a result of an automobile accident on September 15, 2009 at Hobart Drive near Vanderbilt Drive.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 10-R-0114 (44) Claim of **Jena Barnett and Marc Antoine Williams on behalf of their deceased son, Antoine Williams, through, their attorney, Sherrie M. Brady, Esq., The Cochran Firm**, for damages alleged to have been sustained due to the death of a minor on October 14, 2008 at 3450 Benjamin E. Mays Drive, SW.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 10-R-0115 (45) Claim of **Thad Persons**, for damages alleged to have been sustained as a result of the replacement of a water meter on October 12, 2009 at 37 East Drive.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 10-R-0116 (46) Claim of **David Stewart, through his attorney, William Heitmann, III**, for damages alleged to have been sustained as a result of a motor vehicle accident on June 5, 2009 at Greenwood Avenue and Monroe Drive.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 10-R-0117 (47) Claim of **Allstate Insurance Company, as subrogee of Ricky Griffin, through their attorney, Edward Harris**, for damages alleged to have been sustained as a result of a vehicular accident on October 3, 2008 at an unspecified location.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

# **CONSENT AGENDA SECTION II**



Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA**

**SECTION II**

**ORDINANCES FOR FIRST READING**

**All items on Consent Agenda II (1 through 12 as follows) were Referred to the appropriate committees as a collective vote.**

**CITY UTILITIES COMMITTEE**

**NATALYN M. ARCHIBONG, CHAIR**

10-O-0057 (1) An Ordinance by **City Utilities Committee** to amend Chapter 74, Article VI "Flood Area Regulations" to reduce or avoid future flood losses, enhance the function of the floodplain; and for other purposes.

**REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

10-O-0058 (2) An Ordinance by **City Utilities Committee** to amend Article VII of Chapter 74 entitled "Riparian Buffer Requirements" (§74-300 et seq.); to identify the administering department as Watershed Management; to comply with the requirements of the Metropolitan North Georgia Water Planning District Act; to streamline the review process and clarify the public notice requirements; and for other purposes.

**REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**IVORY L. YOUNG, JR., CHAIR**

10-O-0118 (3) An Ordinance by **Public Safety and Legal Administration Committee** amending the 2010 (Intergovernmental Grant Fund) Budget, Department of Police, by adding to anticipations and appropriations in the amount of \$92,820.00 for a Grant Award from the Governor's Office of Highway Safety and matching funds in the amount of \$139,230.00 from the General Fund Budget, to fund the Highway Enforcement of Aggressive Traffic; and for other purposes.

**REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION II (CONT'D)**

**ORDINANCES FOR FIRST READING (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**  
**IVORY L. YOUNG, JR., CHAIR**

10-O-0119 (4) An Ordinance by **Public Safety and Legal Administration Committee** amending the FY10 (Intergovernmental Grant Fund) Budget, for the City of Atlanta Municipal Court, Community Court Division, by adding to anticipations and appropriations in the amount of \$126,980.00, from the Georgia Department of Behavioral Health and Developmental Disabilities ("DBHDD") for the purpose of continuing Clinical Assessment Services for Criminal Defendants participating in Community Court; and for other purposes.

**REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

10-O-0120 (5) An Ordinance by **Public Safety and Legal Administration Committee** amending the 2010 (Intergovernmental Grant Fund) Budget, Department of Police, by adding to anticipations and appropriations in the amount of \$1,375,120.00 for an Edward Byrne Memorial Justice Assistance Grant ("JAG") Award from the United States Department of Justice; and for other purposes.

**REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

**TRANSPORTATION COMMITTEE**  
**C. T. MARTIN, CHAIR**

10-O-0121 (6) An Ordinance by **Transportation Committee** to anticipate and appropriate Reimbursement Funds in the amount of \$161,817.12 from the City of College Park, Georgia for the reimbursement of costs for work performed on their behalf on the Georgia International Convention Center (GICC) Station Project; and for other purposes.

**REFERRED TO TRANSPORTATION COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION II (CONT'D)**

**ORDINANCES FOR FIRST READING (CONT'D)**

**TRANSPORTATION COMMITTEE (CONT'D)**

**C. T. MARTIN, CHAIR**

10-O-0122 (7) An Ordinance by **Transportation Committee** to anticipate and appropriate Grant Funds in the total amount of \$656,421.00 to be received from the Federal Aviation Administration's Offer via Grant Agreement AIP 3-13-0008-92, for the payment of the United States' share of 75% of Allowable Costs incurred in accomplishing the project listed as "Airport GIS"; and for other purposes.

**REFERRED TO TRANSPORTATION COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

10-O-0123 (8) An Ordinance by **Transportation Committee** to anticipate and appropriate TSA Grant Funds in the amount of \$20,000,000.00 from the Transportation Security Administrations' (TSA) to reimburse the City 90% for Allowable Cost of the Design, Management and Construction Associated with the new Checked Baggage Inspection System Project (CBIS) at the Hartsfield-Jackson Atlanta International Airport; and for other purposes.

**REFERRED TO TRANSPORTATION COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

**FINANCE/ EXECUTIVE COMMITTEE**

**YOLANDA ADREAN, CHAIR**

10-O-0126 (9) An Ordinance by **Finance/ Executive Committee** amending the 2010 (Water and Sewer Renewal and Extension Fund) Budget by adding to anticipations and appropriations in an amount of \$50,000.00 for 'Pass Through' Grant Award from the Georgia Environmental Protection Division for the construction of GreenGrid Roof System at the Woodruff Arts Center; and for other purposes.

**REFERRED TO FINANCE/ EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

10-O-0127 (10) An Ordinance by **Finance/ Executive Committee** authorizing the Chief Financial Officer to amend the FY 2010 (2004 Water and Wastewater Bond Fund-5058) Budget in the amount of \$23,000,000.00 to transfer funds from the Capital Projects Reserve (5058) for appropriations and to add to appropriation funds for repairs to the RM Clayton WTP due to 2009 Flood Related Damage; and for other purposes.

**REFERRED TO FINANCE/ EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION II (CONT'D)**

**ORDINANCES FOR FIRST READING (CONT'D)**

**FINANCE/ EXECUTIVE COMMITTEE (CONT'D)**  
**YOLANDA ADREAN, CHAIR**

- 10-O-0128 (11)      An Ordinance by **Finance/ Executive Committee** for the City of Atlanta authorizing the Mayor to execute a Correction Deed to cure an incorrect legal description on a deed authorized by Ordinance 94-O-1280, executed on November 3, 1994 and recorded on November 7, 1994 approving the transfer of the Finch Elementary School Property to the Atlanta Board of Education; and for other purposes.  
**REFERRED TO FINANCE/ EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 10-O-0129 (12)      An Ordinance by **Finance/ Executive Committee** to authorize the termination of that certain Interest Rate Exchange Agreement related to the City's outstanding Water and Wastewater Revenue Bonds, Series 1999A, and the payment of a Swap Termination Fee in connection with the termination of said Interest Rate Exchange Agreement; all payments shall be charged to and paid from Watershed Renewal and Extension Fund; authorizing the execution and confirmation of Swap Termination delineating the terms associated with the payment of said Swap Termination Fee in connection with the termination of said Interest Rate Exchange Agreement; granting the Mayor the authority to approve and execute any and all other documents and certificates with respect to the termination of said Interest Rate Exchange Agreement; authorizing certain officials and employees of the City of Atlanta to take all actions required in connection with the termination of said Interest Rate Exchange Agreement; providing certain other details with respect thereto; providing an effective date; and for other purposes.  
**REFERRED TO FINANCE/ EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

## **COMMITTEE REPORTS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS**

**CITY UTILITIES COMMITTEE (1)**

**NATALYN M. ARCHIBONG, CHAIR**

Attendance at the January 12, 2010 meeting of the City Utilities Committee was as follows:

Present: Councilmembers Archibong (Chair), Adrean, Watson, Shook and Smith

Absent: Councilmember Hall

**COMMUNICATION**

10-C-0053 (1) A Communication by **City Auditor Leslie Ward** submitting a Performance Audit Report for the Department of Watershed Management Customer Information System.

**Chairperson Archibong sounded the caption to 10-C-0053 and stated it was forwarded from committee with a Favorable recommendation. However, Chairperson Archibong made a Substitute Motion to File. It was properly Seconded and the Motion CARRIED by a roll call vote of 14 yeas; 0 nays.**

**FILED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

**RESOLUTION**

10-R-0059 (1) An **Amended** Resolution by **City Utilities Committee** authorizing the Mayor to enter into Sole Source Renewal Agreement No. 1 for FC-4737, Operations, Maintenance and Training for the Hemphill Steam Pumping Station with DPS, Infrastructure Monitoring Systems, Inc., on behalf of the Department of Watershed Management/Bureau of Drinking Water, in an amount not to exceed \$2,000,000.00; all contracted work shall be charged to and paid from the listed Fund Department, Organization and Account Numbers; and for other purposes.

**Chairperson Archibong sounded the caption to Resolution 10-R-0059 and stated the committee recommendation was to Refer as Amended to the Finance/Executive Committee. However, Chairperson Archibong made a Substitute Motion to File. It was properly Seconded and the Motion CARRIED by a roll call vote of 14 yeas; 0 nays**

**FILED AS AMENDED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE (1)**  
**JOYCE SHEPERD, CHAIR**

Attendance at the January 12, 2010 meeting of the Community Development/Human Resources Committee was as follows:

Present: Councilmembers Sheperd (Chair), Wan, Young, Winslow, Bond and Hall

Absent: None

**ITEM REMOVED FROM CONSENT AGENDA**

10-R-0145 (1) A Resolution by **Community Development/ Human Resources Committee** authorizing the Mayor to enter into a funding Agreement with the Atlanta Development Authority, Atlanta Neighborhood Development Partners (in collaboration with MaCallan Group and NorSouth Companies) and The Integral Development, LLC, in an amount not to exceed \$57,944,444.00 from the U.S. Department of Housing and Urban Development under the CDBG Neighborhood Stabilization Program 2 (NSP2); and for other purposes.

**The above item was removed from the Consent Agenda by request of Councilmember Sheperd. Ms. Sheperd sounded the caption to Resolution 10-R-0145 and made a Motion to File. It was properly Seconded and the Motion CARRIED by a roll call vote of 14 yeas; 0 nays.**

**FILED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (1)**

**IVORY L. YOUNG, JR., CHAIR**

Attendance at the January 12, 2010 meeting of the Public Safety and Legal Administration Committee was as follows:

Present: Councilmembers Young (Chair), Willis, Martin, Adrean, Sheperd, Bottoms and Archibong

Absent: None

**RESOLUTIONS**

**Claims with filed recommendations:**

- 10-R-0089 (1) Claim of **Edward J. Mills**, for damages alleged to have been sustained as a result of a sewer main break on December 9, 2008 at 2400 Bohler Road, NW. **\$155,000.00**  
**FILED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 10-R-0093 (2) Claim of **State Farm Insurance Companies**, as subrogee of **Stephen Ayoub**, for damages alleged to have been sustained as a result of an automobile accident on May 16, 2009 at 6000 North Terminal Parkway. **\$5,217.10**  
**FILED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**



**Council President Ceasar C. Mitchell Presided**

**COMMITTEE REPORTS (CONT'D)**

**TRANSPORTATION COMMITTEE (1)**

**C. T. MARTIN, CHAIR**

Attendance at the January 13, 2010 meeting of the Transportation Committee was as follows:

Present: Councilmembers Martin (Chair), Archibong, Moore, Bottoms, Smith and Bond

Absent: Councilmember Willis

**The Standing Committee of Transportation did not have a report.**

**Council President Ceasar C. Mitchell Presided**

**COMMITTEE REPORTS (CONT'D)**

**ZONING COMMITTEE (1)**

**AARON WATSON, CHAIR**

Attendance at the January 13, 2010 meeting of the Zoning Committee was as follows:

Present: Councilmembers Watson (Chair), Winslow, Bottoms and Smith

Absent: Councilmembers Young and Shook

**The Standing Committee of Zoning did not have a report.**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/ EXECUTIVE COMMITTEE (1)**  
**YOLANDA ADREAN, CHAIR**

Attendance at the January 13, 2010 meeting of the Finance/Executive Committee was as follows:

Present: Councilmembers Adrean (Chair), Martin, Moore, Wan, Watson and Willis

Absent: Councilmember Shook

**RESOLUTIONS**

10-R-0136 (1) A Resolution by **Councilmembers Michael Julian Bond, H. Lamar Willis, Kwanza Hall, Ivory Lee Young, Jr. and Aaron Watson** calling for the creation of a Public Safety Improvement Fund; requesting the Mayor or his designee to direct City Staff to add the creation of such a Fund to the City's 2010 Georgia General Assembly Legislative Package; and for other purposes.

**Chairperson Adrean sounded the caption to Resolution 10-R-0136. Following, Councilmember Bond was recognized and made a Motion to bring forth a Substitute. It was properly Seconded and an extensive discussion ensued, during which, Councilmember Martin Called the Question. It was properly Seconded and the Motion CARRIED by a unanimous roll call vote of 15 yeas; 0 nays. Subsequently, the Motion to bring forth the Substitute CARRIED by a roll call vote of 14 yeas; 1 nay. The Substitute was before Council. Another discussion ensued, in which, Councilmember Wan made a Motion to Refer the resolution back to the Finance/ Executive Committee. It was properly Seconded and a discussion ensued, during which, Councilmember Martin Called the Question. It was properly Seconded and the Motion CARRIED by a unanimous roll call vote of 15 yeas; 0 nays. Consequently, the Motion to Refer CARRIED by a roll call vote of 14 yeas; 1 nay.**

**REFERRED TO FINANCE/ EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 1 NAY**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/ EXECUTIVE COMMITTEE (2)**

**YOLANDA ADREAN, CHAIR**

**RESOLUTIONS (CONT'D)**

- 10-R-0147 ( 2)      A Resolution by **Finance/ Executive Committee** authorizing the Mayor to enter into Renewal Agreement No. 1 for Sole Source Agreement FC-4737, Operations, Maintenance and Training for the Hemphill Steam Pumping Station with DPS, Infrastructure Monitoring Systems, Inc., on behalf of the Department of Watershed Management/ Bureau of Drinking Water, in an amount not to exceed \$2,000,000.00; all contracted work shall be charged to and paid from the listed FDOA Numbers and amounts; and for other purposes.  
**ADOPTED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS;**  
**0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**COMMITTEE ON COUNCIL (1)**

**FELICIA A. MOORE, CHAIR**

Attendance at the January 19, 2010 meeting of the Committee on Council was as follows:

Present: Councilmembers Moore (Chair), Sheperd, Wan, Winslow, Hall and Bond

Absent: None

**COMMUNICATIONS**

10-C-0048 (1) A Communication from **Clerk Mark Massey to the Fulton County Board of Commissioners to Council President Ceasar C. Mitchell** submitting the Fulton County Board of Commissioners' re-appointment of Mrs. Hazel Jacobs (Position 4) to serve as the County's representative on the BeltLine Affordable Housing Advisory Board. This re-appointment is for a term of two (2) years, retroactive to 5-01-09 and expires on 4-30-11. (Favorable by CD/ HR Committee 1/12/10.)

**REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS**

10-C-0138 (2) A Communication by **Mayor Kasim Reed as Amended by Finance/ Executive Committee to President Mitchell and the Atlanta City Council** appointing Mr. Peter Aman as Chief Operating Officer for the City of Atlanta. (Favorable as amended by F/E Committee 1/13/10.) Note: an amendment was added as an attachment to this communication which provides, "the Atlanta City Council recognizes that Mr. Aman resides outside of the corporate limits of the City of Atlanta."

**CONFIRMED AS AMENDED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS**

**ORDINANCE FOR SECOND READING**

10-O-0131 (1) An Ordinance by **Councilmember Natalyn Mosby Archibong** amending the City of Atlanta's Code of Ordinances "Division 3, Standing and Other Committees", Section 2-135 for the purpose of inserting language requiring that Departmental Quarterly Reviews be held by the appropriate standing committee; and for other purposes.

**ADOPTED BY A ROLL CALL VOTE OF 15 YEAS; 0 NAYS**

# **PERSONAL PAPERS**

Council President Ceasar C. Mitchell Presided

**PERSONAL PAPERS**

**RESOLUTION/ ADOPTED**

10-R-0226 ( 1)      A Resolution by Councilmembers Kwanza Hall, Ivory Lee Young, Jr., Cleta Winslow, Aaron Watson, Michael Julian Bond, Carla Smith, Howard Shook, H. Lamar Willis and Joyce M. Sheperd supporting the 2010 St. Patrick's Day Festival and Parade in Downtown Atlanta; and for other purposes.

Councilmember Hall made a Motion to Adopt Resolution 10-R-0226. It was properly Seconded and the Motion CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.

**ADOPTED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS;  
0 NAYS**

**RESOLUTIONS/ REFERRED**

10-R-0218 ( 1)      A Resolution by Councilmembers Michael Julian Bond, Ivory Lee Young, Jr., Aaron Watson and H. Lamar Willis amending the 2010 City of Atlanta Georgia General Assembly Legislative Package so as to express the City of Atlanta's support for a Municipal Option Sales Tax ("MOST") for the creation of both a Public Safety Improvement Fund and a Public Infrastructure Fund; and for other purposes.

**REFERRED TO FINANCE/ EXECUTIVE COMMITTEE WITHOUT  
OBJECTION**

10-R-0219 ( 2)      A Resolution by Councilmember Cleta Winslow authorizing the Mayor or his designee to accept a donation of office furniture worth a value of \_\_\_\_\_ from Wachovia Bank, on behalf of the Department of Police; and for other purposes.

**REFERRED TO PUBLIC SAFETY AND LEGAL  
ADMINISTRATION COMMITTEE WITHOUT OBJECTION**

Council President Ceasar C. Mitchell Presided

**PERSONAL PAPERS (CONT'D)**

**RESOLUTIONS/ REFERRED (CONT'D)**

- 10-R-0222 ( 3)      A Resolution by **Councilmember Howard Shook** authorizing the Mayor to issue a notice to proceed with Arcadis/ Brindley Pieters & Associates, a joint venture for FC-4906A, annual contract for Architectural, Engineering and Design Services, for additional right of way services for the Wieuca Road Improvements Project, and for additional construction administration services for the Lakewood Heights Town Center Project on behalf of the Department of Public Works, in an amount not to exceed One Hundred Fifty Two Thousand Three Hundred Eighty Two Dollars and Twenty One Cents (\$152,382.21); with all contracted work to be charged to and paid from the following Fund, Department and Account Numbers 3502 (General Government Capital Outlay Fund) 3138 (2008 Quality of Life Improvements Bond) 130308 (DPW Transportation Design) 5410001 (Consulting/ Professional Services/ Capital Projects) 5411002 (Easements) 101639 (Wieuca Road Sidewalk) 102552 (Lakewood Heights Town Center) 4270000 (Traffic Engineering); and PTAE0 Funding Numbers 13101639 101 350291105 5410001/ 5411002 COA; 13102552 102 313821776 5410001 COA; and for other purposes.

**REFERRED TO FINANCE/ EXECUTIVE COMMITTEE WITHOUT OBJECTION**

- 10-R-0223 ( 4)      A Resolution by **Councilmembers C. T. Martin, Ivory Lee Young, Jr., Aaron Watson, Howard Shook, Kwanza Hall, Michael Julian Bond, Yolanda Adrean, H. Lamar Willis, Cleta Winslow, Keisha Bottoms, Joyce M. Sheperd and Alex Wan** authorizing the creation of a commission to determine an appropriate honor memorializing Reverend James Orange in the City of Atlanta; and for other purposes.

**REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION**

- 10-R-0224 ( 5)      A Resolution by **Councilmembers C. T. Martin, Alex Wan, Joyce M. Sheperd, Keisha Bottoms, Ivory Lee Young, Jr., Cleta Winslow, Michael Julian Bond, H. Lamar Willis, Howard Shook, Aaron Watson, Yolanda Adrean and Kwanza Hall** authorizing the creation of a commission to determine an appropriate honor memorializing Ms. Xernona Clayton in the City of Atlanta; and for other purposes.

**REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION**



Council President Ceasar C. Mitchell Presided

**PERSONAL PAPERS (CONT'D)**

**ORDINANCES/ REFERRED**

- 10-O-0220 (1) An Ordinance by **Councilmember Howard Shook** authorizing the purchase of permanent and temporary construction easements and the necessary rights-of-way from various property owners for the completion of the Wieuca Road Sidewalk Improvements Project; to authorize the Mayor, or his designee, to negotiate with affected property owners and to use all means necessary to acquire necessary property interests up to and including condemnation proceedings; to authorize the City Attorney, or his designee, to institute condemnation proceedings pursuant to the declaration of taking method authorized by O.C.G.A. Section 32-3-4; to authorize the City Attorney to use the services of outside counsel, where necessary, to handle condemnation proceedings; and for other purposes.  
**REFERRED TO FINANCE/ EXECUTIVE COMMITTEE WITHOUT OBJECTION**
- 10-O-0221 (2) An Ordinance by **Councilmember Howard Shook** amending the 2010 (General Government Capital Outlay Fund) Budget in the Departments of Planning and Community Development and Public Works by transferring between account the sum of Three Hundred Thousand Dollars and No Cents (\$300,000.00) for the purpose of funding sidewalk improvements along Wieuca Road; and for other purposes.  
**REFERRED TO FINANCE/ EXECUTIVE COMMITTEE WITHOUT OBJECTION**
- 10-O-0225 (3) An Ordinance by **Councilmember Keisha Bottoms** to amend Section 114-125, New Appointments and Starting Rates, of the Code of Ordinances; and for other purposes.  
**REFERRED TO FINANCE/ EXECUTIVE COMMITTEE WITHOUT OBJECTION**

# **ADJOURNMENT**

**Council President Ceasar C. Mitchell Presided**

**ADJOURNMENT**

There being no further business to discuss, the January 19, 2010 meeting of the Atlanta City Council was adjourned at 3:22 p.m.

**ADJOURNMENT ROLL CALL: Council President Ceasar C. Mitchell (1); Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis (15).**